

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION**

**MARQUISE ROBBINS,**

Plaintiff,

v.

**BRIAN OWENS,**

Defendant.

Civil Action No. 7:15-CV-1 (HL)

**ORDER**

Before the Court are Plaintiff Marquise Robbins' ("Plaintiff") Motion for Voluntary Dismissal (Doc. 9) pursuant to Federal Rule of Civil Procedure 41(a) and Defendant Brian Owens' ("Defendant") Motion to Dismiss (Doc. 11) and Motion to Stay (Doc. 12). Plaintiff's motion is granted in part and denied in part, rendering Defendant's motions moot. Rule 41(a)(1)(B) states that "if the plaintiff previously dismissed any federal- or state-court action based on or including the same claim, a notice of dismissal operates as an adjudication on the merits." With his lawsuit in this Court, Plaintiff was seeking to force Defendant, who is the commissioner of the Georgia Department of Corrections, to alter the location and circumstances of Plaintiff's confinement. Plaintiff had previously filed, and dismissed, a similar claim against Defendant in the United States District Court for the Northern District of Georgia. See Robbins v. Owens, No. 1:14-cv-1746-

MHS (January 29, 2015 Notice of Voluntary Dismissal, Doc. 9). Consequently, this case is dismissed, but with prejudice.

**SO ORDERED**, this the 13th day of May, 2015.

*s/ Hugh Lawson*  
**HUGH LAWSON, SENIOR JUDGE**

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